

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

April Linn Lucas,

Plaintiff,

v.

Case No. 18-10087

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

ORDER ADOPTING
2/21/19 REPORT AND RECOMMENDATION

Plaintiff April Linn Lucas filed this action seeking judicial review of Defendant Commissioner's unfavorable decision denying her claim for a period of disability and disability insurance benefits. The matter was referred to Magistrate Judge Stephanie Dawkins Davis for determination of all non-dispositive motions under 28 U.S.C. § 636(b)(1)(A) and issuance of a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Thereafter, the parties filed cross-motions for summary judgment.

In a Report and Recommendation ("R&R") issued on February 21, 2019, the magistrate judge recommends that the Court grant Plaintiff's summary judgment motion, deny Defendant's summary judgment motion, and that the findings of the Commissioner be reversed and remanded for further proceedings pursuant to Sentence Four of 42 U.S.C. § 405(g). (ECF No. 18).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall

make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. The Court hereby ADOPTS the February 21, 2019 R&R.

IT IS ORDERED that Defendant's summary judgment motion is DENIED, Plaintiff's summary judgment motion is GRANTED, and the findings of the Commissioner are REVERSED AND REMANDED for further proceedings pursuant to Sentence Four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: March 11, 2019